

### **Remarks**

Applicants and the undersigned would like to thank the Examiner for his efforts in the examination of this application. Reconsideration is respectfully requested.

#### **I. Rejection of Claims 12-14 and 29 under 35 USC 102(e)**

The Examiner has rejected Claims 12-14 and 29 under 35 USC 102(e) as being anticipated by Alloul et al. (US 6032130).

Claim 12 has been amended to more particularly point out that which the Applicants regard as their invention. In particular, the software application is indicated as being run on a local computer. Alloul teaches a CD-ROM that includes electronic catalogs. However, in Alloul's system ordering must be accomplished by connection to a remote server to receive "time-variable data" from a remote "transaction server."

In the system recited in Claim 12, data such as prices and photos, as well as an ordering mechanism, are resident on the storage medium.

Therefore, Claim 12 is not anticipated by Alloul, and thus Claims 13 and 14 dependent therefrom are also not anticipated by Alloul.

Claim 29 has also been amended to more particularly point out that which Applicants regard as their invention. In particular, Claim 29 has been amended to recite that a reminder is issued at processor startup if a selected identifier has been retained, not just upon an evocation of a catalog ordering program.

This feature is neither taught nor suggested by Alloul or Montague, alone or in combination. Therefore, Claim 29 is not anticipated by Alloul.

## **II. Rejection of Claims 1-11, 15-28, and 30-33 under 35 USC 103(a)**

The Examiner has rejected Claims 1-11, 15-28, and 30-33 under 35 USC 103(a) as being unpatentable over Alloul, and further in view of Montague (US 6,298,332).

Independent Claims 1, 15, 19, and 26 have been amended to more particularly point out that which Applicants regard as their invention. In particular, these claims have been amended to recite that the processor is local. Respectfully, Montague does not teach the storage of purchase data if order processing is not desired at the time of item selection. Rather, information is “exchanged” wherein an installable executable application is used to connect to a remote server device that houses data from a vendor.

Further, both Alloul and Montague require that at least one application be present on the local hard drive in order to read the CD-ROM, whereas no such executable is required in the present invention. In addition, in the present independent claims, a connection to a remote server is not required to place an order, and the server software is built into the removable storage device (e.g., CD-ROM).

Therefore, independent Claims 1, 15, 19, and 26 are believed to patentably define over the cited art.

In addition, Claims 28, 30, 31, and 33 have been amended to more particularly point out that which Applicants regard as their invention. In particular, Claims 28, 30, 31, and 33 have been amended to recite that a reminder is issued at processor startup if a selected identifier has been retained, not just upon an evocation of a catalog ordering program.

This feature is neither taught nor suggested by Alloul or Montague, alone or in combination. Therefore, Claims 28, 30, 31, and 33 patentably define over the cited art.

Claims 2-11, 16-18, 20-25, 27, and 32, being dependent claims, also patentably define over the cited art.

### **Conclusions**

Applicants respectfully submit that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicants and the undersigned would like to again thank the Examiner for his efforts in the examination of this application and for reconsideration of the claims as amended in light of the arguments presented. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,



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### **CERTIFICATE OF MAILING**

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 5<sup>th</sup> day of May, 2004.



Edward Bradley